

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : A. Bartlett, et al.
Application No. : 10/700,005
File Date : November 3, 2003
For : Sealing Device for Filtration Devices
Examiner : Not assigned
Group Art Unit : 1734
Attorney Docket No. : MCA-460 D PC/US

Certificate of Mailing Under 37 CFR §1.8

I hereby certify that the enclosed correspondence is being deposited with the United States Postal Service via first class mail, with sufficient postage prepaid, in an envelope addressed to the Commissioner for Patents, United States Patent and Trademark Office, Alexandria, VA 22313-1450 on

October 26, 2004.

Stacey Gross
Name: Stacey Gross, IP Paralegal

PETITION IN REPLY TO THE NOTICE OF OMITTED ITEMS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Petition is in response to the Notice of Omitted Items in A Nonprovisional Application (the Notice) mailed from the U.S. Patent and Trademark Office (USPTO) on October 6, 2004. The Notice indicates that Figure 10 described in the specification was omitted from the application. Applicant believes that Figure 10 was in fact deposited with the subject application papers on Sheet 7/7 of the drawings as mailed to the USPTO via express mail procedure on November 3, 2004.

11/02/2004 RHEBROHT 00000044 133577 10700005
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A copy of the Utility Patent Application Transmittal is enclosed as evidence of such deposit. Box 4 of the transmittal indicates 7 Total Sheets of drawings were deposited. Figure 10 is on Sheet 7/7. Review of the Image File Wrapper (IFW) through the USPTO Patent Application Information Retrieval system (PAIR) shows that 6 sheets of drawings, Figure 1-9 were scanned.

A copy of Figure 10, drawing sheet 7/7 as deposited with the application papers is enclosed.

Applicant requests that Figure 10 be made part of the application papers as deposited.

Applicant believes that the referenced application meets the requirements under 37 C.F.R. 1.53 and is entitled to the filing date of November 3, 2003.

Authorization is given to charge the petition fee pursuant to 37 C.F.R. 1.17(h) to Deposit Account No. 133577. Applicant believes that Figure 10 was received by the USPTO with the application papers and therefore the petition fee should be refunded to Deposit Account No. 133577.

Respectfully submitted,

By: 

John Dana Hubbard, Reg. No. 30,465

Date: October 25, 2004

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PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MCA-460 D PC/US
First Inventor	A. Bartlett, et al.
Title	Sealing Device for Filtration Devices
Express Mail Label No.	EL634003651US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 9]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Sheets 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/937,114

Prior application information:

Examiner Menon, Krishnan S.

Art Unit: 1723

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number: 25182 OR ☐ Correspondence address below

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Name (Print/Type)	John Dana Hubbard	Registration No. (Attorney/Agent)	30,465
Signature		Date	November 3, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

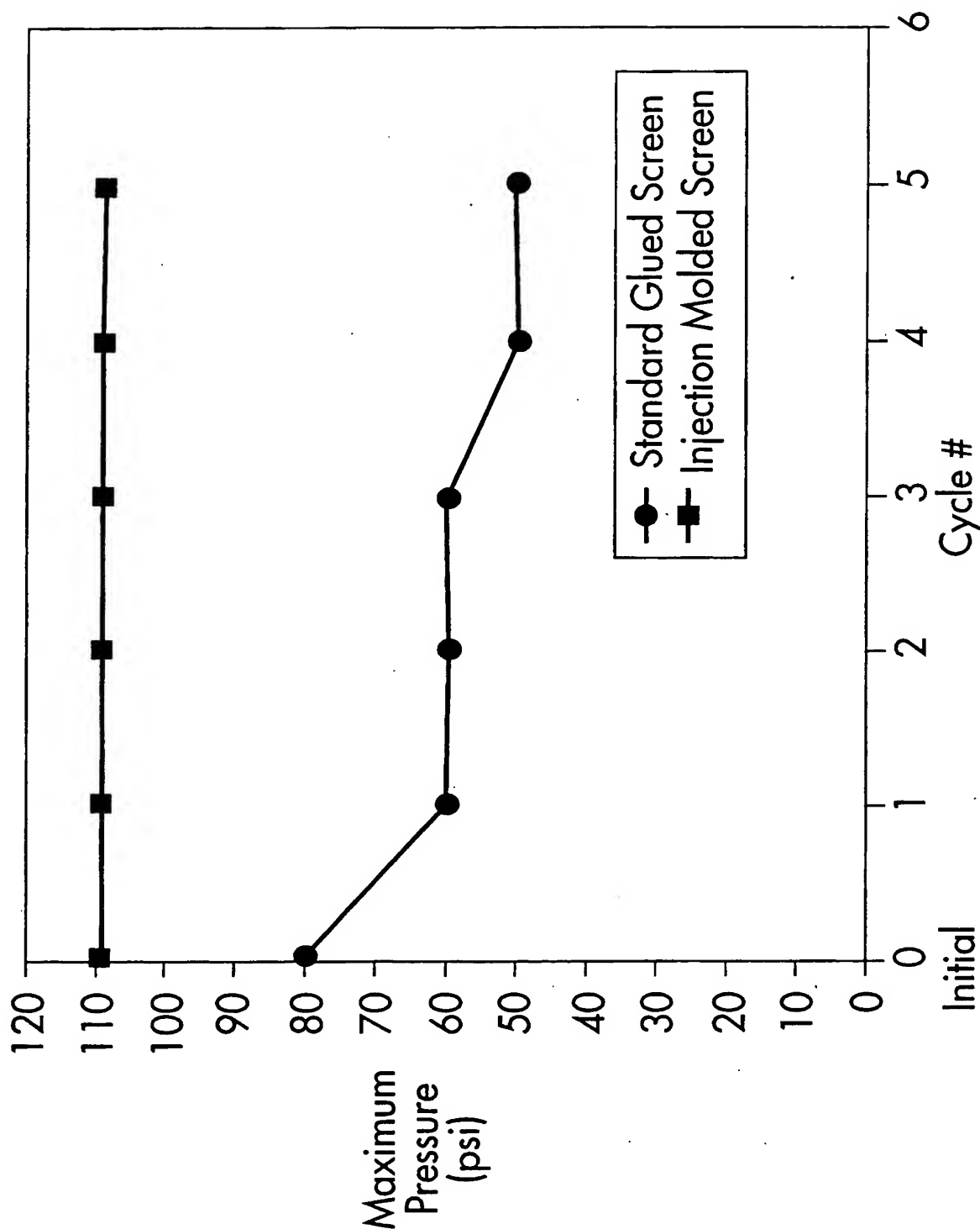
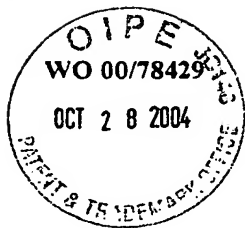


Fig. 10